S.B.Civil Writ Petition No.1095/2007
(Mangu & Ors. vs. State of Rajasthan & Anr.)

Date of order : March 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Ravindra Singh, for the petitioners.

By the instant writ petition, the petitioners have challenged their retrenchment from services in violation of the provisions of Sections 25-F, G and H of the Industrial Disputes Act, 1947 for short, "the Act, 1947" hereinafter).

Since the petitioners have alternative remedy which is efficacious in nature provided by the statute under the Act, 1947 before the Industrial Disputes Tribunal and Labour Court, without availing the alternative remedy available under the statute, the petitioners have straight-way filed the instant writ petition under Article 226 of the Constitution of India, which cannot be entertained on the ground of availability of alternative remedy to them.

The writ petition stands dismissed on the ground of availability of the alternative remedy. The petitioners may approach the appropriate State Government for making a

reference within one month and the State Government is requested to refer the same to the Labour Court for adjudication. There shall be no order as to costs.

(H.R. PANWAR), J.

m.asif/-